IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

WRIT PETITION NO.1724 OF 2007

Smt. Anjana Dilip Siddhe .. Petitioner
v/s.
The Chief Officer,
Akkalkot Municipal Council,
Akkalkot, Dist. Solapur and others .. Respondents

Mr.G.S. Godbole with Mr. Viresh V. Purwant for the petitioner.
Mr. S.S. Bhende, Assistant Government Pleader for the respondents.

CORAM : F.I. REBELLO &
R.M. SAVANT, JJ.

DATED : 13TH MARCH, 2007

P.C.

Rule. Heard forthwith.

2. It is the case of the petitioner that he has sought four days time from the Scrutiny Committee to produce certain documents. However, that opportunity was not given and instead the Committee by order dated 17.2.2007, rejected his claim on the ground of non-production of the necessary documents.

3. In our opinion, once the time was sought and that too only for a period of four days that ought to have been considered by the Committee as otherwise, the consequences of such a rejection has severe civil consequences not only on the petitioner, as a counsellor,

but also his status.

4. In the light of that, we set aside the order dated 17.2.2007 and remand the matter back to the committee. The petitioner will appear before the committee on 20.3.2007 and produce all the necessary documents. The committee thereafter to consider the same and dispose it of not later than four weeks from the petitioner appearing before the committee, as directed.

5. During the pendency of the proceedings before Committee, the respondents are directed not to treat the petitioner's disqualification as a vacancy.

Rule made absolute accordingly. No order as to costs.

(F.I. REBELLO, J.)

(R.M. SAVANT, J.)